REMARKS

Claims 1-5 have been examined and have been rejected under 35 U.S.C. § 103(a).

I. Objection to the specification

The Examiner has objected to the specification because the "Summary of the Invention" section of the application refers to claim 1. Applicants note and agree with the Examiner that the specification should not limit the scope of the claims and that the claims should be interpreted based on their respective limitations. Thus, Applicants have deleted the reference to claim 1 in the specification and submit that the objection is overcome.

II. Rejection under 35 U.S.C. § 103(a) over U.S.P. 5,742,666 to Alpert ("Alpert"), U.S.P. 5,461,664 to Cappadona ("Cappadona"), and/or U.S.P. 6,115,597 to Kroll et al. ("Kroll")

Claims 1-4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Alpert in view of Cappadona or Kroll. Applicants submit that the claims are patentable over the references.

A. Claim 1

For example, claim 1 states that a controller allows only an information output from a wireless terminal to a wireless base station in response to a fact that the operating section has been operated. On the other hand, none of the references suggest the features above.

With respect to Alpert, the Examiner acknowledges that the reference does not suggest the above features of claim 1. (Office Action at page 4). However, he contends that Cappadona or Kroll suggest allowing only an information output from a wireless terminal to a base station. Applicants respectfully disagree.

With respect to Cappadona, the Examiner contends that the switch 12 shown in Fig. 1 suggest allowing only an information output from a wireless terminal to a base station. (Office Action at page 4). However, the reference expressly discloses that the switch 12 is an ON/OFF switch that activates the transceiver 10 when it is closed and that deactivates the transceiver 10 when it is open. (Column 5, lines 53-56). Also, the reference expressly states that the transceiver 16 contains both a transmitter and a receiver. (Column 5, lines 9-13).

Therefore, when the switch 12 is ON and activates the transceiver 10, the transceiver 10 can transmit and receive information. Also, when the switch is OFF and de-activates the transceiver 10, the transceiver 10 cannot transmit or receive information. As a result, Cappadona does not suggest allowing only an information output from a wireless terminal to a base station.

With respect to Kroll, the Examiner contends that the "911" button 16 shown in Figs. 1A, 1B, and 2 suggests allowing only an information output from a wireless terminal to a base station. (Office Action at page 4). However, there is absolutely no suggestion that the devices allows only information to be output when the button 16 is activated. In fact, the reference actually teaches that the information can be transmitted and received upon activation of the button 16.

For example, Fig. 4 of Kroll illustrates an audio controller 60 that receives audio information via the RF section 66 and antenna 68 and that outputs the audio information via the speaker 40. (Column 2, lines 52-55). Also, the audio controller 60 receives audio information from the microphone 46 and outputs the audio information via the RF section 66 and the antenna 68. (Column 2, lines 60-64).

When a user presses the "911" button 16, the antenna 14 is released to its fully extended position, and the microswitch 17 is activated. (Column 2, lines 16-18, and column 3, lines 24-26). When the microswitch 17 is activated, the device, including the audio controller 60, is activated. (Column 2, lines 56-59, and column 2, line 64, to column 3, line 1).

Thus, Kroll suggest that, when the user presses the "911" button 16, the phone 10 transmits a "911" command to a base station, and the user can both speak to an operator at the base station and hear what the operator at the base station is saying. Therefore, Kroll teaches that information is both transmitted and received when the "911" button 16 is pressed and does not suggest that the phone 10 allows only information to be output when the button 16 is activated.

In light of the discussion above, Applicants submit that claim 1 is patentable over Alpert, Cappadona, and/or Kroll.

B. Claims 2-4

Since claims 2-4 depend upon claim 1, Applicants submit that they are patentable at least by virtue of their dependency.

III. Rejection under 35 U.S.C. § 103(a) over Alpert, Cappadona, Kroll, and/or U.S.P. 5,966,643 to Radley ("Radley")

Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Alpert, Cappadona, and/or Kroll (as applied to claim 1) and further in view of Radley. Since claim 5 depends upon claim 1 and since Radley does not cure the deficient teachings of Alpert, Cappadona, and/or Kroll with respect to claim 1, Applicants submit that claim 5 is patentable at least by virtue of its dependency.

IV. Newly added claims

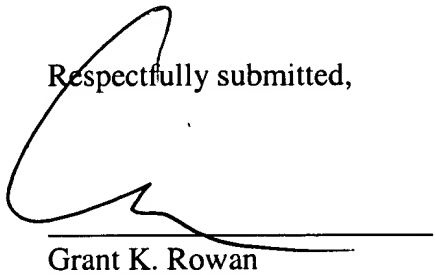
Applicants have added new claims 6-15 to provide more varied protection for the present invention.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: August 9, 2004